

Article - Health Occupations

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§2-314.1.

(a) In this section, “medical examination” means a physical examination of the ear of an individual by an otolaryngologist, otologist, or other physician.

(b) (1) Before an audiologist or a hearing aid dispenser sells a hearing aid to an individual, the audiologist or hearing aid dispenser shall determine whether the individual has had a medical examination within the 6 months before the hearing aid service is to be provided.

(2) Unless an audiologist or a hearing aid dispenser determines that an individual has had a medical examination within the period set under paragraph (1) of this subsection, the audiologist or hearing aid dispenser:

(i) Shall give the individual a written recommendation that the individual obtain a medical examination; and

(ii) Except as provided in subsection (c) of this section, may not sell a hearing aid to the individual until the individual provides to the audiologist or the hearing aid dispenser satisfactory written evidence that the individual has had a medical examination within the 6 months before the hearing aid is provided.

(c) (1) An audiologist or a hearing aid dispenser may sell a hearing aid to an individual without complying with the requirements of subsection (b)(2)(ii) of this section only if the services are:

(i) Limited to replacement of a hearing aid; or

(ii) Provided to an individual who:

1. Is at least 18 years old; and

2. Before a hearing aid is provided, signs a written waiver of the medical examination that otherwise is required under subsection (b)(2)(ii) of this section.

(2) Each audiologist or hearing aid dispenser shall keep a copy of each signed waiver.

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